



713-201

08/08327

A/FWC

#30
P/H
8/22/96**DERGOSITS & NOAH**

Four Embarcadero Center, Suite 510
San Francisco, CA 94111
(415) 705-6377

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Docket No. 106.02
Anticipated Classification
of this Application:
Class: 235
Subclass:

Prior Application:
Examiner: R. Weinhardt
Art Unit: 2311

FILE WRAPPER CONTINUING APPLICATION (FWC) - 37 C.F.R. §1.62

Commissioner of Patents and Trademarks
Box FWC
Washington, D.C. 20231

Sir:

I. This is a request for filing a

☒ continuation☐ divisional application☐ continuation-in-part☐ attached is an amendment for added subject matter of prior complete application Serial No. filed on .☒ of co-pending application Serial No. 08/282,153 filed on July 28, 1994

by Joshua D. Kaplan for APPARATUS AND METHOD FOR POINT OF PREVIEW
AND FOR COMPILATION OF MARKET DATA.

CERTIFICATION UNDER 37 C.F.R. §1.10

I hereby certify that this New Application and the documents referred to as enclosed herein are being deposited with the United States Postal Service on this date, June 26, 1996 in an envelope bearing "Express Mail Post Office To Addressee" Mailing Label Number EF388722595US addressed to: Commissioner of Patents and Trademarks, Box FWC, Washington, D.C. 20231.

Michael E. Dergosits
(Name of person mailing paper)


Signature

1. Title (as originally filed and as last amended): APPARATUS AND METHOD FOR POINT OF PREVIEW AND FOR COMPILATION OF MARKET DATA

2. Name of applicant(s) (as originally filed and as last amended) and current correspondence address of applicant(s)

Joshua D. Kaplan

| NAME OF INVENTOR | NAME OF INVENTOR | NAME OF INVENTOR |
|------------------|------------------|------------------|
|------------------|------------------|------------------|

| | | |
|---------|---------|---------|
| Address | Address | Address |
|---------|---------|---------|

| | | |
|-----------------|-----------------|-----------------|
| City, State ZIP | City, State ZIP | City, State ZIP |
|-----------------|-----------------|-----------------|

The above-identified application in which no payment of issue fee, abandonment of, or termination of proceedings has occurred, is hereby expressly abandoned as of the filing date of this new application. Please use all the contents of the prior application file wrapper, including the drawings, as the basic papers for the new application.

It is understood that secrecy under 35 U.S.C. §122 is hereby waived to the extent that if information or access is available to any one of the applications in the file wrapper of a 37 C.F.R. §1.62 application, be it either this application or a prior application in the same file wrapper, the PTO may provide similar information or access to all the other applications in the same file wrapper.

II. INVENTORSHIP STATEMENT

1. XX This application discloses and claims only subject matter disclosed in the prior application whose particulars are set out above and the inventor(s) in this application are

XX the same

__less than those named in the prior application and it is requested that the following inventor(s) identified above for the prior application be deleted:

2. __ This application discloses and claims additional disclosure by amendment and a new declaration or oath is being filed. With respect to the prior application whose particulars are set out above the inventor(s) in this application are

__the same

__add the following additional inventor(s):

3. XX The inventorship for all the claims in this application are

XX the same

 not the same, and an explanation, including the ownership of the various claims at the time the last claimed invention was made, is submitted.

III. DECLARATION OR OATH

1. Continuation or divisional

XX none required

2. Continuation-in-part

 attached

executed by (check all applicable items)

 inventor(s).

 legal representative of inventor(s) 37 C.F.R. §1.42 or §1.43.

 joint inventor or person showing a proprietary interest for inventor who refused to sign or cannot be reached. 37 C.F.R. §1.47;

 This is the petition required by 37 C.F.R. §1.47 and the statement required by 37 C.F.R. §1.47 is also attached. See item VI below for fee.

 not attached.

Application is made by a person authorized under 37 C.F.R. §1.41(c) on behalf of all of the above named applicant(s). The declaration or oath, along with the surcharge required by 37 C.F.R. §1.16(e) can be filed subsequently.

 showing that the filing is authorized. (Not required unless called into question. 37 C.F.R. §1.41(d)).

IV. FEE CALCULATION - AMENDMENTS

XX The fees to be charged are to be based on the number of claims remaining as a result of the

 attached preliminary amendment.

 the unentered amendment filed under 37 C.F.R. §1.116 in the prior application, which is now repeated.

xx the claims as on file in the prior application.

| | Number Filed | Number Extra | Rate | Basic Fee \$750.00 |
|----------------------|--------------|--------------|------------|-----------------------|
| Total Claims | 33 - 20 = | 13 | x \$22.00 | \$286.00 |
| Indep. Claims | 8 - 3 = | 5 | x \$78.00 | \$390.00 |
| Multiple | Dependent | Claims | x \$230.00 | \$0 |

Filing Fee Calculation \$1,426.00

V. SMALL ENTITY STATEMENT

 A verified statement that this is a filing by a small entity is attached.

XX The small entity statement was filed in the great-grandparent application Serial No. 07/582,253 on September 13, 1990 and by the assignee on March 30, 1993 in application Serial No. 07/957,444 and this status is still proper and its benefit under 37 C.F.R. §1.28(a) is hereby claimed.

50% Filing Fee Reduction (if applicable) \$713.00

VI. FEE PAYMENT BEING MADE AT THIS TIME

Not attached

 No filing fee is submitted. (This and the surcharge required by 37 C.F.R. §1.16(e) can be paid subsequently.)

Attached

XX filing fee \$713.00

 recording assignment (\$40.00; 37 C.F.R. §1.21(h)(i). See item XII below.

 petition fee for filing by other than all the inventors or person not the inventor where inventor refused to sign or cannot be reached (\$130.00;

37 C.F.R. §1.47 and §1.17(h))

 processing and retention fee (\$130.00; 37 C.F.R. §1.53(d) and 1.21(l))

TOTAL FEES ENCLOSED \$713.00

VII. METHOD OF PAYMENT OF FEES

XX attached is check in the amount of \$713.00

 charge Account No. _____ in the amount of \$.

A duplicate of this request is attached.

VIII. AUTHORIZATION TO CHARGE ADDITIONAL FEES

XX The Commissioner is hereby authorized to charge the following additional fees which may be required by this paper and during the entire pendency of this application to Account No. 04-0822. The Commissioner is hereby authorized to charge payment of any fees associated with this communication or credit any overpayment to Deposit Account No. 04-0822.

A duplicate copy of this sheet is enclosed.

XX 37 C.F.R. §1.16 (filing fees)

XX 37 C.F.R. §1.16 (presentation of extra claims)

XX 37 C.F.R. §1.16(e) (surcharge for filing the basic filing fee and/or declaration on a date later than the filing date of the application)

XX 37 C.F.R. §1.17 (application processing fees)

XX 37 C.F.R. §1.18 (issue fee at or before mailing of Notice of Allowance, pursuant to 37 C.F.R. §1.311(b)).

IX. INSTRUCTIONS AS TO OVERPAYMENT

XX credit Account No. 04-0822

 refund

X. PRIORITY - 35 U.S.C. §119

 Priority of application Serial No. _____ filed on _____ in _____ is claimed under

The certified copy has been filed on in prior U.S. application Serial No.
 filed on
 certified copy will follow

XI. RELATE BACK - 35 U.S.C. §120

XX Amend the specification by deleting any existing reference to related applications by inserting before the first line the sentence:

This is a

XX continuation

 divisional application

 continuation-in-part

of co-pending application Serial No. 08/282,153 filed on July 28, 1994 which is a continuation of application Serial No. 08/035,661 filed on March 23, 1993, now abandoned, which was a continuation of application Serial No. 957,444, now U.S. Patent No. 5,237,157, which was a continuation of application Serial No. 582,253, filed September 13, 1990, now abandoned.

XII. ASSIGNMENT

XX the prior application is assigned of record to Intouch Group, Inc.
 an assignment of the invention to is attached.

XIII. POWER OF ATTORNEY

The power of attorney in the prior application is to Dergosits & Noah.

XX The power appears in the original papers in the prior application.

 The power does not appear in the original papers, but was filed on .

 A new power has been executed and is attached.

XX Address all future communications to:

DERGOSITS & NOAH
Attn: Michael E. Dergosits
Four Embarcadero Center, Suite 510
San Francisco, CA 94111
(415)705-6377

XIV. MAINTENANCE OF COPENDENCY OF PRIOR APPLICATION

(This item must be completed and the necessary papers filed in the prior application if the period set in the prior application has run).

XX A petition, fee and response has been filed to extend the term in the pending prior application until June 26, 1996.

XX A copy of the petition for extension of time in the prior application is attached.

XV. CONDITIONAL PETITIONS FOR EXTENSION OF TIME IN PRIOR APPLICATION

(Complete this item and file conditional petition in prior application if previous item (XIV) not applicable).

 A conditional petition for extension of time is being filed in the pending prior application.

 A copy of the conditional petition for extension of time in the prior application is attached.

XVI. ABANDONMENT OF PRIOR APPLICATION

XX Please abandon the prior application at a time while the prior application is pending or when the petition for extension of time or to revive in that application is granted and when this application is granted a filing date so as to make this application copending with said prior application.

By: Michael E. Dergosits

Name: Michael E. Dergosits
Registration No. 31,243

Dated: June 26, 1996

Four Embarcadero Center, Suite 510
San Francisco, CA 94111